

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

vs.

JEFF MCGRAW

Case No. 23 CR 28

Emergency Judge
Thomas Durkin

ORDER

1. On June 7, 2023, after a detention hearing, the Honorable Magistrate Judge Young B. Kim ordered the defendant released to the custody of a third-party pending trial. Dkt. 48. At the government's request, Magistrate Judge Kim stayed the release order to allow the government to appeal. Dkt. 49.

2. On June 9, 2023, the UNITED STATES OF AMERICA, by its attorney, MORRIS PASQUAL, Acting United States Attorney for the Northern District of Illinois, moved this Court, pursuant to 18 U.S.C. § 3145(a)(1), for an order revoking the June 7, 2023 release order entered by Magistrate Judge Kim. *See* Dkt. 53 (Gov't Motion Under Seal); Dkt. 55 (Redacted Gov't Motion).

3. In response to the government's notice that it would appeal the June 7 release order, the Court requested additional materials and information from the parties related to the facts at issue in the government's motion.

4. On June 11, 2023, defendant filed a response to the government's motion. Dkt. 56.

5. On June 12, 2023, the Court held a detention hearing pursuant to 18 U.S.C. § 3142(f), during which the parties were permitted to present evidence and oral argument.

6. Having reviewed the briefing, documents, and other evidence provided by the parties, the reports authored by Pretrial Services, the transcript of the June 7, 2023 detention hearing before Magistrate Judge Kim, and the parties' oral arguments, the Court finds that the government has demonstrated by clear and convincing evidence that no condition or combination of conditions of pre-trial release will reasonably assure the safety of any other person and the community. *See* 18 U.S.C. § 3142(e)(1). Accordingly, the government's motion at Dkt. 53 is granted.

IT IS HEREBY ORDERED THAT the June 7, 2023, order releasing defendant to a third-party custodian at Dkt. 48 is revoked. Defendant is ordered detained and committed to the custody of the Attorney General for confinement in a corrections facility pending trial or until further order of the Court.

ENTER:

A handwritten signature in black ink, reading "Thomas M. Durkin". The signature is written in a cursive, flowing style.

THOMAS M. DURKIN
United States District Judge

DATE: June 12, 2023